

REMARKS

The above amendment of the specification is in accordance with the amendment (requested by the PTO) in parent application USSN 08/254,345 (now USPN 6,682,825). This amendment merely includes reference to FIG. 12 in the Brief Description of the drawings. FIG. 12 was filed with the application papers which have been granted a filing date of August 27, 2003.

With the entry of the amendments to the claims, the pending claims include Claims 1-15 and 19-20. Claims 1 and 19 are the pending independent claims. Claims 2-15 and 20 are the pending dependent claims. Claims 16-18 and 21-60 stand canceled as set forth in the Transmittal Letter filed August 27, 2003. The Office Action of 1 July 2004 states that Claims 1-15 are allowed.

Turning to the various amendments to the claims, the phrase “carboxyl-modified polyolefin” has been deleted from rejected independent Claim 19. In Sections 4 and 5 of the July 1 Office Action, Independent Claim 19 is rejected as anticipated by US Patent No. 4,615,922, to Newsome (“NEWSOME”). The Office Action states that NEWSOME teaches a 5-layer film having an oxygen barrier layer, adhesive layers, and surface layers containing a blend of EVA and LLDPE, wherein the LLDPE can be Admer NF-500, a graft-modified (acid) polyethylene resin. Thus, the amendment to delete “carboxyl-modified polyolefin” from the second component in independent Claim 19 (and dependent Claim 20) renders these claims patentable over NEWSOME.

Second, the term “plastomer” has been deleted from Claims 1, 2, 5, 7, 19, and 20, in accordance with the Decision on Appeal mailed 8 August 2000 in parent USSN 08/254,345. The phrase “homogeneous ethylene/alpha-olefin copolymer having a density of from about 0.86 to 0.91 g/cc” is substituted for the term “plastomer”. This is the same amendment made to Claim 1 of the ‘345 application, which thereafter issued as USPN 6,682,825. Support for this amendment can

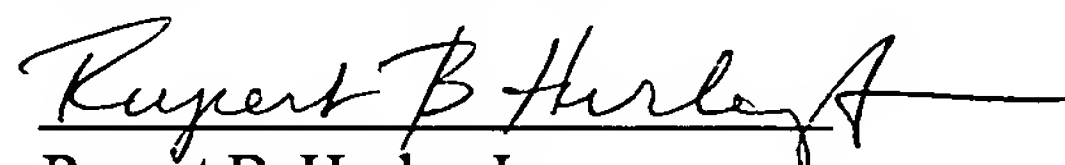
be found in Applicants' specification at, for example, Page 10 line 29 through Page 11 line 3.

Third, the units "g/cc" have been added to various claims in order to include the density units disclosed in the specification.

The amendments to the specification and claims contain no new matter.

In view of all of the foregoing amendments and remarks, Applicants respectfully request reconsideration of the patentability of the pending claims, with a view towards allowance.

Respectfully submitted,



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